

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Case No.: 3:22-cv-00502-ART-CSD

JOHNNY LEE JONES,

Plaintiff

v.

SGT. STOLK, et al.,

Defendants

Order

Re: ECF No. 8

Plaintiff filed an emergency motion to supplement his request for a temporary restraining order (TRO) or preliminary injunction, or alternatively, for an evidentiary hearing. (ECF No. 8.)

First, an emergency motion must be accompanied by a declaration setting forth the nature of the emergency, the addresses and phone numbers of all affected parties, and a statement certifying that the moving party has met and conferred with the opposing side and has been unable to resolve the matter without court action, including the details of such meet and confer. If the nature of the emergency precludes a meet and confer, the statement must include a detailed description of the emergency so the court can evaluate whether a meet and confer was precluded. LR 7-4(a).

Emergency motions should be rare, and the failure to comply with the requirements for submitting an emergency motion may result in denial of the motion. LR 7-4(b), (c).

Plaintiff did not comply with Local Rule 7-4's requirement that he submit the declaration discussed above. Denial of his motion is proper on this basis alone.

Moreover, a party may file a motion, and the opposing party may file a response, and then the moving party may file a reply brief. A party may not file an addition, or supplemental

1 brief *without leave of court*, which sets forth good cause with respect to the need to supplement
2 the brief. The court may strike supplemental filings made without leave of court. LR 7-2.

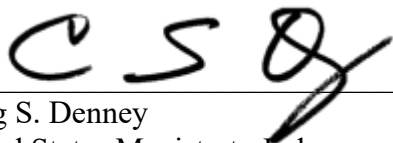
3 Plaintiff did not seek leave of court before filing this supplement; therefore, denial of the
4 motion is proper on this additional basis.

5 Finally, on a substantive basis, Plaintiff's proposed supplement consists mainly of
6 hearsay statements attributed to unidentified persons that Plaintiff claims justify his request for
7 injunctive relief. If Plaintiff sought to introduce additional evidence to support his motion for
8 injunctive relief, he should have sought leave of court to do so, and should have provided
9 *evidence*, in the form of a declaration or affidavit by the persons referenced.

10 For these reasons, Plaintiff's emergency motion to supplement (ECF No. 8) is **DENIED**.

11 **IT IS SO ORDERED.**

12 Dated: April 3, 2023

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Craig S. Denney
United States Magistrate Judge